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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ann M. Lees et al.

Art Unit : 1653

Serial No. : 10/671,242

Examiner : R. Mitra

Filed : September 24, 2003

Title : NOVEL LOW DENSITY LIPOPROTEIN BINDING PROTEINS AND THEIR  
USE IN DIAGNOSING AND TREATING ATHEROSCLEROSIS**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated July 21, 2005, applicants elect the invention of Group I, drawn to the embodiment of claims 1-40. Applicants also elect the sequence of SEQ ID NO:43. The election of SEQ ID NO:43 is made with traverse.

The present application describes three novel LDL-binding polypeptides ("LBPs"), termed LBP-1, LBP-2, and LBP-3. For each LBP, the application discloses both human and rabbit polypeptides. However, the pending claims of the present application are limited to human LBP-2 amino acid sequences. As a result, and contrary to the Examiner's comments on page 3 of the action, none of the claims are directed to methods employing LBP-1 or LBP-3 sequences.

As noted above, all of the pending claims are directed to methods of using human LBP-2 amino acid sequences. Human LBP-2 is described in SEQ ID NO:43 (full length polypeptide) and SEQ ID NO:7 (fragment of LBP-2). SEQ ID Nos:19, 20, 21, and 22 are additional fragments of human LBP-2. Applicants respectfully submit that all of the human LBP-2 amino acid sequences should be examined in the present application. The human LBP-2 polypeptides

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

AUGUST 15, 2005

Date of Deposit

Patricia F. Suchanek

Signature

PATRICIA F. SUCHANEK

Typed or Printed Name of Person Signing Certificate

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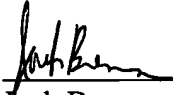
recited in the claims are related to each other as fragments of the full length polypeptide of SEQ ID NO:43. Because of the relatedness of these LBP-2 sequences, the issues raised during the course of prosecution of the full length sequence and fragments thereof are expected to be similar, thereby facilitating simultaneous examination of these sequences.

In light of the above comments, applicants respectfully request that the Examiner examine all of the claims directed to methods of employing LBP-2 polypeptides.

Please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 10797-004006.

Respectfully submitted,

Date: August 15, 2005

  
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